

PATENT
Attorney Docket No. 2052.0485-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent No. 7,652,054 B2)
Issue Date: January 26, 2010) Confirmation No.: 5982
Inventors: Mathias Alterman *et al.*)
For: *TRICYCLIC COMPOUNDS*)
 USEFUL AS)
 ANGIOTENSIN II AGONISTS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**SUBMISSION OF REQUEST FOR RECALCULATION OF
PATENT TERM ADJUSTMENT IN VIEW OF WYETH**

In view of the decision in *Wyeth v. Kappos*, No. 2009-1120 (Fed. Cir., Jan. 7, 2010), the undersigned believes the above-identified patent is entitled to additional patent term adjustment. The attached Form PTO/SB/131 is submitted in accordance with the procedures outlined in the "Interim Procedure for Patentees to Request a Recalculation of the Patent Term Adjustment to Comply with the Federal Circuit Decision...Regarding the Overlapping Delay Provision of 35 U.S.C. 154(b)(2)(A)" posted on the PTO's website on January 28, 2010.

This paper meets the PTO's requirements because (1) this patent issued before March 2, 2010, and no more than 180 days prior to the filing of this paper; and (2) Patentees' sole basis for requesting reconsideration of the patent term adjustment is the PTO's pre-*Wyeth* interpretation of 35 U.S.C. § 154(b)(2)(A).

In accordance with the PTO's interim procedure, no fee is required with this request. If however, the PTO determines that a fee is required, such fee should be charged to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: March 3, 2010

By: 

Maryann T. Puglielli
Reg. No. 52,138
(202) 408-6054